IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1035 OF 2007
IN
CRIMINAL APPEAL NO.1101 OF 2004

Tanaji Shamrao Nalavade .. Applicant
V/s
The State of Maharashtra .. Respondent

Mr.Kedar Patil i/by Mr.Sudatta Patil for Applicant.

Mr.S.R.Borulkar, Public Prosecutor with Dr.F.R.Shaikh, APP for State.

CORAM : DR.S.RADHAKRISHNAN, & SMT.R.S.DALVI, JJ.

DATE : 10th September, 2007.

P.C.:

1. Heard the learned Counsel for the Applicant and the learned APP for the State. By this application the Applicant is seeking interim bail on the ground that his late brother's daughter is getting married on 12.09.2007 and that there are no other family members to make necessary arrangements for the marriage, and that the Applicant's parents are also not alive.

2. Perused the xerox copy of the marriage invitation card. Having regard to the facts and circumstances of this case and in view of the fact that the Applicant has been convicted for the offence punishable u/s.302 of the Indian Penal Code and has not been granted bail, we are inclined to permit the Applicant to attend the wedding ceremony of his late brother's daughter on 12.09.2007.

3. The concerned Jail Authorities are therefore

directed that the Applicant shall be taken to the place of marriage on 12.09.2007 with necessary police escort and shall be taken back to the jail on 14.09.2007. For taking the Applicant to the place of marriage and bringing him back to the jail, the police shall not wear their uniform and shall wear the civil dress only.

4. For the aforesaid three days viz.12.09.2007 to 14.09.2007 the Applicant shall bear the expenses to be incurred for police escort.

5. Criminal Application stands disposed of accordingly.

6. The learned Public Prosecutor states that he will communicate the aforesaid order to the concerned Jail Authorities, immediately.

7. The concerned Jail Authorities to act on an authenticated copy of this order.

(SMT.R.S.DALVI,J.) **(DR.S.RADHAKRISHNAN,J.)**